THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.5972 OF 2004

DATE: 08th September 2006

Between:
Markfed Agro Service Centre,
Macherla, Guntur District,
Rep. by its proprietor M.Srirama Murthy.

… Petitioners.

And

1. The Government of A.P., rep. by its Secretary,
   Food & Agriculture Department, Secretariat
   Buildings, Hyderabad and 2 others.

… Respondents.

* * *

ORDER:

This writ petition is filed seeking a writ of Mandamus declaring the instructions issued by the 2nd respondent in Memo No.Fert.II (1) 1289/91 dated 16.9.1991, as illegal and void; and consequently to direct the respondents 1 and 2 and their subordinate officers not to insist upon the members of the petitioner association to obtain separate certificate of registration for godown located within the State, but beyond the local area in which the sale depot is located.

2. There is no necessity of going into all the details.

Under the impugned memo instructions have been issued insisting upon members of the petitioner association to obtain separate certificate of registration for godowns located within the State but beyond the local area in which the sale depot is located.

3. In the counter filed by the second respondent it is asserted that recently in W.P.No.3106 of 2003 filed by M/s. Ayyappa Fertilizers, this Court, while disposing of the writ petition, left liberty to the petitioner to approach the authorities concerned and get a registration certificate afresh or an endorsement on the old certificate itself as per the policy envisaged by the respondents. In view of the amended provision and condition No.5 of A-1 Form the applicant shall file a Memorandum of Intimation where the storage point is located outside the area jurisdiction of the notified authority where the sale depot is located. Further, it appears that the amended provision also applies to the certificate of registrations already obtained. The members of the petitioner have to submit Memorandum of Intimation as stipulated in condition No.5 of Form A-1.

4. In view of the above, the writ petition is disposed of leaving liberty to the petitioner to approach the authorities

concerned and get registration certificate afresh or an endorsement on the old certificate itself as per the policy envisaged by the respondents.

5. With the above direction, the writ petition is disposed of. No order as to costs.

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C.V.RAMULU, J.

Date: 08th September 2006.
BSB